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SOCIETIES HEAR OF LAWYER CARPENTIER'S INFLUENCE ON HISTORY OF THEIR AREAS

No history of the communities of Lamorinda could be explained without the story of the confrontations between their grantee-title holders and a New York lawyer in his attempts to secure all or major portions of them.

On January 8 at Campolindo High School members of the cooperating societies heard of Carpentier's successes as told by representatives of the areas: Mrs. Muir Sorrick for Rancho El Sobrante; Mrs. Dorothy Mutnick, for the Acalanes, Moraga, and other ranchos. These histories are reported on other pages in this issue.

As background for the local Contra Costa scene Mr. Leonard Verbarg, historical scribe known as THE KNAVE of the Oakland Sunday Tribune edition, told of Carpentier's political and commercial operations on the shores of the East Bay.

Carpentier was born Horace Walpole Carpenter, but changed his name along with his two lawyer brothers when the second of them to set up office in New York City needed to be distinguished from another barrister of identical appellation.

After graduating from Columbia College in 1848 he set out for the gold fields of California but soon joined a law partner in San Francisco.

Coming to the site of Oakland to assist a casual acquaintance, Edson Adams, to obtain a deed to 160 acres (through which Broadway now runs) on which he had already squatted, he himself squatted on 160 more. With another squatter the trio subdivided the area into the Town of Contra Costa and were elected as members of the Board of Trustees.

(continued on page 2)

EARLY CALIFORNIA COSTUMES AS SHOWN BY DOLLS IS FEBRUARY PROGRAM

"She's one of our most valuable resource persons with a fantastic collection of dolls," said a spokesman for the Lafayette schools of Mrs. Joseph T. Gregory, speaker for the February 4 historical society program to be held in the auditorium of Lafayette School, Moraga Road and School Street at 8 p.m.

To illustrate her talk, "Early California Costumes as Shown by Dolls," Mrs. Gregory will bring but a minute portion of her more than 1300 dolls from all over the world.

A historian as well as a doll-collector, Mrs. Gregory will show and discuss such figures as the vaquero, the ranchero, a Mission father, and a Mission Indian. Among the dolls of this period of our history is Ramona, the legendary character from the Helen Hunt Jackson novel. Of interest is a replica of the famous Patti Reed doll of the tragic Donner Party. The beautiful Concepcion Arguello (her mother was a Moraga) and the man to whom she was engaged, Count Nikolai Rezanof of Russia will also be represented in this outstanding doll collection.

To illustrate her talk further, the speaker plans to bring some California Indian accessories such as a Hupa stick game, a bow, arrows, and Indian baskets.

A long-time resident of Lafayette, Mrs. Gregory has been a volunteer in the local schools for the past ten years. She and her husband are members of the historical society.

MORAGA HISTORICAL SOCIETY

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CARPENTIER (cont. from p. 1)

Carpentier was granted the waterfront, the San Francisco ferry franchise, and the bridge to the East Oakland communities across San Antonio Creek (Lake Merritt). Reactions to the inequities suffered by the community over several decades were read by Brother Dennis, chairman of the symposium.

Two years later Carpentier arranged for an almost secret incorporation of Contra Costa as the "City of Oakland," and promptly became its first mayor, but this office, like that of his trusteeship and his seat in the State Assembly was won by ballots which exceeded, in all, the number of registered voters.

Contributions to posterity (apart from legacies) were the development of railroad terminals along the Oakland waterfront, the sending of the first transcontinental telegram (to President Lincoln), and the preservation of trees, whether in Oakland or on his many rancho holdings.

Apart from the Oakland scene, Carpentier spent his efforts acquiring ranchos. When he arrived here, their ownership and boundaries, established by Mexican law, had not yet been verified by the U. S. Land Commission. By this same law, accepted by the Treaty of Guadalupe Hidalgo, each rancho would be surrounded by surplus territory (sobrantes) which would become public land upon a final survey. Besides, some land holders had no valid Mexican titles; their ranchos would become public land under American law as a consequence: e.g., Moraga's neighbors, the Romeros.

In view of the uncertainty of ownership of any particular parcel of land, a majority of American immigrants (ex-miners, etc.) believed their Midwestern preemption rights would prevail here, and a title obtained by squatting upon 160 acres would be validated by the courts of California as well.

Payment of undivided interests in their land to the lawyers who had obtained confirmation and patents for them was one way rancheros alienated portions of the grants they had received from Mexico. For example, Carpentier obtained one-eighth of Rancho El Sobrante; and the firm of Jones, Laurence and Strode was given one-fifth of Rancho Laguna de los Palos Colorados as payment on March 7, 1855./..

Carpentier, among others, claimed his pre-emption right on the Vicente Peralta Rancho in Oakland, but obtained much of the Domingo Peralta Rancho in Berkeley as the latter's lawyer. His incursion into Rancho Laguna de los Palos Colorados began with a purchase of mortgages made by widow Bernal after they were foreclosed; the rest of the Bernal half-interest came through tax sale, assignment of notes, and purchase. (He later claimed a half-interest in all lands sold by the Moraga family as his share, and eventually obtained title by pressing this claim along with other methods of acquisition employed often by his agents.

He succeeded in confirming and patenting Rancho San Ramon, and then demanded large sums of back rent from the ranchers, but finally sold it to them for $90,000. He tried also to get a portion of Rancho Acalanes, all of the Romero Rancho (East of Moraga's), part of Rancho Pinole, but succeeded in obtaining a small segment of Rancho Boca de la Canada del Pinole in the vicinity of downtown Lafayette. It It was in the last mentioned area that the Moraga Rancho had its pre-Civil Warpattern of ranch distribution disturbed by subdividing, and that was after the sale of the land by Carpentier and the arrival of the railroad in Lafayette in 1913.

Carpentier left California in flight--according to legend, perhaps in 1880. We do know that he lived under guard here and in New York where he retired. Meanwhile he lived some years in China and visited the Bay Area twice, the last time in 1916, two years before his death at the age of 93.

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ORINDA HISTORICAL SOCIETY
Editor: Carol Leland P. O. Box 82, Orinda 94563

CARPENTIER ON THE "EL SOBRANTE"

Although Victor and Juan Jose Castro eventually sold or lost most of their Sobrante grant, Horace Carpentier was not as successful in obtaining their lands as he was on the Moraga grant and in Oakland according to Muir Sorrick, who presented the Orinda area chapter in the story of the lawyer's land acquisitions in the East Bay.

In the Orinda area the Castros, who did a large business in horses and cattle and were always pressed for funds, sold in 1847 a league of land north of the present crossroads to Ward and Smith of the mercantile company in San Francisco for $500 (in goods) and $300 in gold dust. For this they gave a receipt signed by Juan Jose Castro which later helped prove title to this area and keep it out of Carpentier's grasp. This sale was before the Castro brothers had agreed to give Carpentier one-eighth of their land provided he prosecute their claim for title in the U. S. Courts to a final conclusion.

More damaging was the mortgage that Victor Castro entered into with Andrew Moon, then sheriff, and Edson Adams, a justice of the peace, both Carpentier's close associates. The mortgage was for $6,000 plus interest at 5% per month. Castro later claimed that he had been tricked into thinking the document was something else. One of the great problems for the Castros was the fact that they neither read nor spoke English nor had any understanding of English law or the unconscionable interest rates of the times. And Carpentier both spoke and read Spanish, as well as being an opportunist lawyer.

Moon later conveyed his interest to Adams and Carpentier. More than a year after the mortgage the Castros were sued for payment, and judgment was entered by the court against them. By 1859, six years after the fatal mortgage, the courts awarded Adams and Carpentier the sum of $154,325, due from the original mortgage and court costs.

The final partition of the Castro Sobrante did not come until 1909 at which time the total acreage was 19,893. The specific tracts that could prove ownership came to 11,172 acres, and the surplus was divided proportionately among the remaining legal claimants. The Adams heirs received about 5,000 acres. By this time Carpentier had moved to the East and had sold his interests in the Sobrante.

FOURTH GRADERS HAVE HISTORY EXHIBIT AT THE ORINDA LIBRARY

The fourth grade students in the six Orinda schools have drawn pictures and written stories of early life in Orinda following the local history program arranged by Alysone deLaveaga. The work of two classes is displayed at one time on the walls of the children's section of the Orinda Library.

Be sure you take a look each time you are in the library, as Alysone changes the exhibit weekly. This "living" history program with the cooperation of the school administration has been gratifying to all concerned.

THANK YOU

We are most grateful to Senator Arthur Breed for his gift of maps from which Brother Dennis thoughtfully separated those concerned with Orinda early subdivisions for presentation to the Orinda Historical Society.

LAFAYETTE HISTORICAL SOCIETY

Editor; Angela Broadhead

P. O. Box 133, Lafayette 94549

MEMBERSHIP DRIVE FOR LAFAYETTE IS FEBRUARY

Attractive 1974 membership cards have been printed and will be mailed to all members in good standing.

Upon receipt of your dues, a membership card will be mailed to you. Dues paid by new members during the last quarter of 1973 will be valid through the year of 1974. Enclosed is a self-addressed envelope for your convenience.

"Please encourage any interested friends or neighbors to join the historical society during our membership drive," said Mrs. Homer Schreiber (284-7538), Membership Chairman.

- - - - - Please clip and enclose with your check - - - - -

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EARLY CALIFORNIA COSTUMES

(displayed on dolls)

Speaker:
Mrs. Joseph T. Gregory

Mon., Feb. 4 8 P. M.

Lafayette School

TIME VALUE

Mrs. Mary Roberts
952 Moraga Road
Lafayette, CA 94549